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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,160	01/30/2002	Takeshi Miyakawa	218222US0PCT	1444

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EXAMINER

CHEVALIER, ALICIA ANN

ART UNIT PAPER NUMBER

1772

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/030,160

Applicant(s)

MIYAKAWA ET AL.

Examiner

Alicia Chevalier

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/27/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **RESPONSE TO AMENDMENT**

### ***Request for Continued Examination***

1. The Request for Continued Examination (RCE) under 37 CFR 1.53 (d) filed on October 27, 2004 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 10-15 are pending in the application, claims 1-9 have been cancelled.
3. Amendments to the claims, filed on October 27, 2004, have been entered in the above-identified application.

### ***WITHDRAWN REJECTIONS***

4. The objection to the claim 15, made of record in the office action mailed May 11, 2004, page 3, paragraph #7 has been withdrawn due to Applicant's amendment in the response filed October 27, 2004.
5. The 35 U.S.C. §102 rejection of claims 10-15 over Miyamoto (JP Patent No. 08258888), made of record in the office action mailed May 11, 2004, pages 3-5, paragraph #8 has been withdrawn due to Applicant's amendment in the response filed October 27, 2004.

### ***REJECTIONS***

6. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

***Claim Rejections - 35 USC § 103***

7. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schenz et al. (U.S. Patent No. 5,361,901) in view of Miyamoto (JP Patent No. 08258888).

Schenz discloses an embossed carrier tape (*title*) comprising a sheet having at least one embossed pocket (*figure 2 and col. 6, line 5*) comprising at least one thermoplastic resin other than a polyphenylene ether resin (*col. 5, lines 62-68*), wherein at least on surface of the sheet has a surface resistance of at most  $10^{12} \Omega/\square$  (*col. 3, lines 29-33*). The carrier tape can further be a single-layer or multi-layer.

Schenz fails to disclose that the sheet has a tear strength of at least 105 N/mm as defined in Japanese Industrial Standard K-7128-3.

Miyamoto discloses a cover tape for an embossed carrier tape (*title*) which comprises a sheet comprising a thermoplastic resin, since the reference discloses that the sheet is made of an ethylene-alpha olefin copolymer (*machine translation page 2, line 8*). The sheet has a base layer and a surface layer having a surface resistance of at most  $10^{12} \Omega/\square$  on both sides of the base layer, since the reference discloses that the tape comprises a biaxially oriented polyester layer, i.e. a base layer, and an adhesive combined with a conductive powder, i.e. an electrically conductive layer (*machine translation page 2, lines 5-15 and figure 2*) and that the surface-electrical-resistance values of a glue line are below  $10^{13} \Omega/\square$  (*machine translation page 2, lines 15-16*) and preferably below  $10^{10} \Omega/\square$  (*machine translation page 3, lines 13-14*). The sheet also having a tear strength of at least 105 N/mm as defined the Japanese Industrial Standard K-7128-3, since the reference discloses that the tape has a tear strength of 100 kg/cm or more, which is equivalent to 98 N/mm or more (*machine translation page 2, line 6*).

Miyamoto also discloses the sheet has a base layer and an electrically conductive layer, since the reference discloses that the tape comprises a biaxially oriented polyester layer, i.e. a base layer, and an adhesive combined with a conductive powder, i.e. an electrically conductive layer (*machine translation page 2, lines 5-15 and figure 2*).

Schenz and Miyamoto are analogous because they both disclose materials for use with electronic components.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have Schenz have a tear strength of at least 105 N/mm as defined the Japanese Industrial Standard K-7128-3 as taught by Miyamoto in order to increase the tear resistance of Schenz carrier.

It also would have been obvious to one of ordinary skill in the art at the time of the invention to have include an electrically conductive surface layer in Schenz as taught by Miyamoto in order to help dissipate static shocks.

#### ***ANSWERS TO APPLICANT'S ARGUMENTS***

8. Applicant's arguments in the response filed October 27, 2004 regarding the previous rejection of record have been considered but are moot since the rejections have been withdrawn.


#### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

Art Unit: 1772

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Alicia Chevalier

1/6/05